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ABSTRACT

Provisions for the establishment of centers and services for deaf-blind children under the Elementary and Secondary Education Act Title VI, Part C are described. Explained are criteria for agency eligibility, coordination among agencies, services provided by a comprehensive center, and activities authorized by the Act. Also discussed are developmental and operational projects, submission of proposals, the form of proposal information, and review and approval procedures. Information is also included on various regulations, grant terms and conditions, and special provisions of the Act. (JM)

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POLICIES AND PROCEDURES

CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

ELEMENTARY AND SECONDARY EDUCATION ACT TITLE VI, PART C

EC006116E

BUREAU OF EDUCATION FOR THE HANDICAPPED
U.S. Office of Education

April , 1969

ED040559

POLICIES AND PROCEDURES

CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

ELEMENTARY AND SECONDARY EDUCATION ACT

TITLE VI, PART C (PUBLIC LAW 90-247)

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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BUREAU OF EDUCATION FOR THE HANDICAPPED

U.S. OFFICE OF EDUCATION

April, 1969

CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

POLICIES AND PROCEDURES

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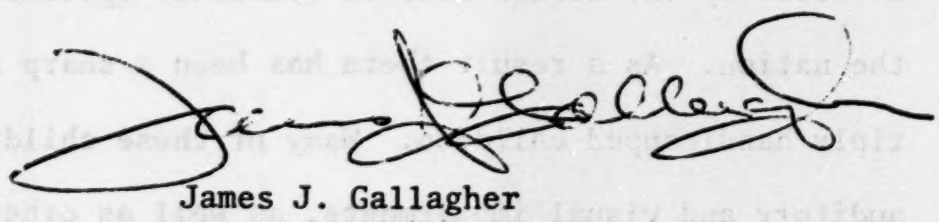
INTRODUCTION

Public Law 90-247 was signed on January 2, 1968, and amended Title VI of the Elementary and Secondary Education Act, to include provision in Part C, for the development of comprehensive regional Centers for deaf-blind children.

In 1963-65, an estimated 20,000 to 30,000 children were affected by the German measles (rubella) epidemics which swept the nation. As a result there has been a sharp increase in multiply handicapped children. Many of these children have both auditory and visual impairments, as well as other handicapping conditions that may cause difficulties in mobility and learning. The Centers were authorized by Congress in anticipation of the needs of the many deaf-blind children resulting from the rubella epidemics.

The Bureau of Education for the Handicapped recognizes that the restoration of deaf-blind children to society is part of the great challenge in fulfilling the Nation's commitment to educate more than 5,000,000 handicapped children. To meet this challenge, an additional responsibility has been placed on the Nation's limited educational facilities. The special Centers will develop and provide comprehensive services for these deaf-blind children who have been deprived of their major avenues of learning and contact with the every-day experiences of life we take for granted.

I am confident that the implementation of the deaf-blind Center concept, set forth in this document, will be achieved with the cooperation of public and private agencies and will provide a major thrust forward in achieving the Nation's goal to educate its handicapped children.



James J. Gallagher
Associate Commissioner
Bureau of Education for the Handicapped
U.S. Office of Education

Public Law 90-247
90th Congress, H. R. 7819
January 2, 1968

An Act

81 STAT. 783

To strengthen, improve, and extend programs of assistance for elementary and secondary education, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1967".

Elementary and Secondary Education Amendments of 1967.

Part C—Centers and Services for Deaf-Blind Children

Sec. 609. (a) It is the purpose of this part to provide, through a limited number of model centers for deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods, and aids that are found to be most effective to enable them to achieve their full potential for communication with and adjustment to the world around them, for useful and meaningful participation in society, and for self-fulfillment.

(b) The Secretary is authorized, upon such terms and conditions (subject to the provisions of subsection (d)(1) of this section) as he deems appropriate to carry out the purposes of this part, to make grants to or contracts with public or nonprofit private agencies, organizations, or institutions to pay all or part of the cost of establishment (including, when necessary, construction) or operation, or both, of centers for deaf-blind children.

(c) In determining whether to make a grant or contract under subsection (b), the Secretary shall take into consideration the need for a center for deaf-blind children in the light of the general availability and quality of existing services for such children in the part of the country involved.

(d)(1) A grant or contract pursuant to subsection (b) shall be made only if the Secretary determines that there is satisfactory assurance that the center will provide such services as he has by regulation prescribed, including at least—

(A) comprehensive diagnostic and evaluative services for deaf-blind children;

(B) a program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor; and

(C) effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist in the process of their adjustment, orientation, and education.

(2) Any such services may be provided to deaf-blind children (and, where applicable, other persons) regardless of whether they reside in the center, may be provided at some place other than the center, and may include the provision of transportation for any such children (including an attendant) and for parents.

(e) The Secretary is further authorized, either as part of any grant or contract under subsection (b), or by separate grant to or contract with an agency, organization, or institution operating a center meeting

the requirements prescribed by or pursuant to subsection (d), to provide for the payment of all or part of the cost of such activities as—

(1) research to identify and meet the full range of special needs of deaf-blind children;

(2) development or demonstration of new, or improvements in existing methods, approaches, or techniques which would contribute to the adjustment and education of deaf-blind children;

(3) training (either directly or otherwise) of professional and allied personnel engaged or preparing to engage in programs specifically designed for deaf-blind children, including payment of stipends for trainees and allowances for travel and other expenses for them and their dependents; and

(4) dissemination of materials and information about practices found effective in working with deaf-blind children.

(f) For purposes of this part, the term "construction" includes, in addition to those matters set forth in section 801(b), construction of residential facilities; and the cost of construction shall be deemed to include the cost of acquisition of land in connection with any of the foregoing, but not the cost of off-site improvements.

(g) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to a grant or contract under this part the facility constructed ceases to be used for the purposes for which it was constructed, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligation, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

(h) For purposes of this part, the determination of children who are both deaf and blind shall be made in accordance with regulations of the Secretary.

(i) Payment pursuant to grants or contracts under this part may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursements, and in such installments and on such conditions as the Secretary may determine.

(j) For the purpose of carrying out this part, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, $3,000,000 for the fiscal year ending June 30, 1969, and $7,000,000 for the fiscal year ending June 30, 1970.

(20 U.S.C. 877b) Enacted Jan. 2, 1968, P.L. 90-247, sec. 151.

POLICIES AND PROCEDURES

The Policies and Procedures below have been developed in relation to the Act, Regulations, and Grant Terms and Conditions to explain the nature of the deaf-blind Centers program and to help potential applicants develop appropriate project proposals. For further information write to:

Coordinator, Centers and Services for
Deaf-Blind Children
Bureau of Education for the Handicapped
Division of Educational Services
U.S. Office of Education
7th & D Streets, S.W.
Washington, D.C. 20202

As used throughout these Policies and Procedures, the term "deaf-blind child" means a child who has both auditory and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that he cannot properly be accommodated in special education programs either for the hearing handicapped child or for the visually handicapped child.

CHAPTER I

PROGRAM EXPLANATION

A. Criteria for Agency Eligibility

Grants or contracts may be awarded to public and private non-profit agencies, organizations or institutions meeting the requirements of the Act. It is the policy of the Office of Education to issue grants only for this program. Examples of eligible agencies include residential or day schools for hearing handicapped children, visually handicapped children, or those with learning disabilities; institutions of higher education, particularly those with teacher training programs in the area of the handicapped; agencies serving children with visual, auditory, language, speech and/or learning disabilities; medical or research facilities; State educational agencies; or public or private non-profit agencies, organizations or institutions developed or modified especially to serve as the Coordinating Agency for a deaf-blind Center.

B. Coordination Among Agencies

The primary objective of a comprehensive regional Center for deaf-blind children is to provide and make available comprehensive and effective

services for all deaf-blind children in a geographic area served by the Center. Because of the breadth of services needed by deaf-blind children of all ages, and because of the wide geographic area that will need to be served by a limited number of Centers, it is anticipated that a number of agencies, both public and private may join together in developing a comprehensive Center under the terms of Title VI, Part C, ESEA. Agencies involved in such cooperative work of the Center will be considered Participating Agencies, and will be responsible for supplying to the deaf-blind children of all ages in that area all necessary services through the utilization of existing services, the development of new services where needed, and the improvement of existing services where appropriate. The service area of the Center should cross over traditional local, state, and regional boundaries.

1. The Coordinating Agency: The Coordinating Agency may be one of the Participating Agencies of the Center or it may be a public or private nonprofit agency developed or modified specifically to serve as the Coordinating Agency for a Center. The Coordinating Agency shall be legally responsible for administering the Center under the grant and will also serve as the locus of the office of the Center Coordinator.
2. The Center Coordinator: The role of the Coordinator is a vital one in the function of a Center providing comprehensive services for deaf-blind children. The Coordinator shall see that those services required by the Act [see Part C, below] are provided by the Center

through its Participating Agencies. Such services shall be comprehensive and continuous in nature, and made available to all deaf-blind children in the service area of the Center. The Coordinator of the Center may also arrange with Participating Agencies to provide those additional activities which are also authorized by the Act [see Part D, below].

3. The Center Advisory Committee: The Coordinator of each Center shall see to it that an Advisory Committee is established to help in the coordination of activities of the Center. The Committee should include representatives of the parents of the children served. Representatives may be selected by each Participating Agency of the Center, and may include other individuals in the service area who also have an interest in the services provided to and welfare of deaf-blind children. The Center Coordinator shall serve as Chairman of the Committee.

   The Committee shall perform the following functions:

   a. Assess and interpret the needs and available resources of the service area of the Coordinator.

   b. Recommend policy positions and suggest strategies and priorities for action to the Coordinator.

   c. Interpret the work of the Center to the Public.

   d. Assist the Coordinator in the development of program planning and project proposals.

   e. Help in the assessment of Center Activities.

C. Services that Must be Provided by a Comprehensive Center

The Act requires that certain services be provided by a Center for deaf-blind children. These described immediately below are intended to be

minimum requirements for such Centers and not an exhaustive description of services comprising a comprehensive Center.

1. Comprehensive Diagnostic and Evaluative Services: The Center must provide both initial and continuing diagnostic and evaluative services. Comprehensive diagnostic and evaluative services for deaf-blind children should include examinations by the following qualified personnel but should not necessarily be limited to them: audiologists, otologists, opthalmologists, pediatricians, pediatric neurologists and other special consultants as needed including such persons as child psychologists, child psychiatrists, optometrists, orthodontists, cardiologists, rhinolaryngologists, speech pathologists, and occupational and physical therapists.

   Diagnostic and evaluative services shall be available on a continuing basis to all deaf-blind children served by the Center agencies. Continuing psycho-educational evaluations of physical, intellectual, and communication abilities, and emotional adjustment should be included.

   Services shall also be available to children who cannot be enrolled at Participating Agencies of the Center, or who may, following diagnostic and evaluative services, be recommended to other programs. Staff members involved in evaluative services shall be qualified as evidenced by certification or licensing here appropriate, and should have special training or experience

pertinent to the special problems posed by children with multiple handicaps.

2. A Program for Education, Adjustment, and Orientation: The heart of the work of a Center for deaf-blind children is the program of education, adjustment and orientation. An important consideration is that the program be adapted to the individual child's various strengths and abilities as indicated in the process of diagnosis and in the daily evaluations taking place in the classroom. For example, pupil-staff ratio will vary according to the age and maturity of the children as well as the degree of loss of vision or hearing. It will be the responsibility of the Coordinator to make available to the teacher the findings of the specialists listed under "Comprehensive Diagnostic and Evaluative Services" (above), and to provide opportunities for consultation with these specialists in addition to those professional consultants listed under "Effective Consultative Services," (see 3 below) when deemed necessary.

Included in the staff should be a supervisor or supervising teacher who has had university training in the education of deaf-blind children or its equivalent. Since there are very few trained teachers of the deaf-blind available, it is probable that some programs may find it necessary to begin operating with some teachers who are not fully trained in this special area, who will work closely with a qualified supervisor. It is anticipated that such programs will proceed with a plan for in-service training and professional growth for such staff members. The use of teacher

aides and other supportive personnel is strongly encouraged so that the trained teachers may devote more time to instruction of deaf-blind children.

Those therapies that are indicated from the diagnostic and evaluative procedures should be available to all deaf-blind children in the Center service area including children enrolled by Participating Agencies, those attending other programs such as day school programs for handicapped children, and those not yet able to cope with a school program. Adapted recreational and physical education programs should be included both during and after school periods. There should be an adequate supply of equipment and instructional materials of an extensive variety for use by the children at all times. Services should be organized to provide adequate social experiences for the children within Center agencies and their communities.

3. Effective Consultative Services: The Coordinator shall be responsible for ensuring that professional consultative and counseling services be available for parents, teachers, and others -- including houseparents and aides -- so that they may understand better the social, emotional, communication, educational and other problems of the children. For those children not attending a school, there should also be an educational counselor who will visit the home at regular intervals to advise parents regarding ways to help prepare the child for future training in educational programs or

to assist in making arrangements for other types of placement if such is indicated.

Consultative services should be available to schools for deaf children, schools for blind children and other agencies which are serving deaf-blind children. The combined and continuing services of professional consultants should be available to aid administrators, teachers, parents, siblings and the deaf-blind child himself. Consultative staff members should be qualified as evidenced by appropriate certification or licensing. Consultant agencies used should meet the standards of the appropriate professional organization and/or State agency.

D. Other Activities Authorized by the Act

In addition to the services required, the Secretary is also authorized to make grants to the Coordinating Agencies of Centers which meet the qualifications stated in C above. The Secretary is also authorized to provide for the payment of all or part of the cost of the activities described below:

1. Research: The type of research which will be supported under this act is applied research that is intended specifically to benefit deaf-blind children. Research to identify and meet the full range of special needs of deaf-blind children should be as practical as possible, by providing valuable information, solving problems, or improving methods of instruction for deaf-blind children. Examples of such research include identifying special needs of deaf-blind children and their families, developing approaches to meeting

those needs and developing new methods and equipment for teaching deaf-blind children. Funds for basic and applied research to benefit handicapped children in general are available through the Division of Research, Bureau of Education for the Handicapped.

2. Innovation and/or Demonstration of Services: Development of new or improved methods, approaches or techniques which contribute to the education, adjustment and orientation of deaf-blind children may be supported. Centers are encouraged to demonstrate and disseminate new methods and approaches developed.

3. Training of Personnel: Each Center program should include in-service training activities for professional and allied personnel who are engaged in, or preparing to engage in, programs specifically designed for deaf-blind children. Personnel trained may include potential teachers for Center programs and other professional and allied personnel including teachers, administrators, child care workers, parents, teacher's aides, and others involved in the diagnosis, care and training of deaf-blind children. However, those Centers primarily interested in full scale training programs for the preparation of teachers for deaf-blind children, may wish to apply for funds directly to the Division of Training of the Bureau of Education for the Handicapped, instead of under this Act. In-service training activities may include formal and informal staff meetings; seminars; workshops; national, regional and state institutes; demonstrations; and other related activities.

4. Dissemination of Materials and Information: Practices found effective in working with deaf-blind children should be published and distributed to Centers, agencies, and others concerned with the education and training of such children. In addition to use of the press and other media, opportunities should be provided to demonstrate new and improved techniques which aid in the education and adjustment of deaf-blind children in a manner designed to reach both professional and lay-persons.

5. Construction: "Construction" as defined by the Act includes: acquisition, building, expansion, alteration or remodeling of the structures and the acquisition, installation, modernization or replacement of equipment. Any combination of the above activities may be supported in either a developmental, operational, or a developmental/operational project. Acquisition of land and construction of residential facilities is included, but not the cost of off-site improvement.

Proposals requesting construction support should be accompanied by plans and preliminary drawings of contemplated facilities. There should be an operational plan providing systematic exposition of the various physical components of the deaf-blind Center. It should be clearly stated how these components of the deaf-blind Center will be utilized to provide appropriate services for deaf-blind children at the pre-school, elementary and secondary educational levels.

Any requests for construction funds ought to be discussed with the staff of the Bureau of Education for the Handicapped in the planning stage.

CHAPTER II

PHASES OF PROGRAM DEVELOPMENT

The task of developing a comprehensive Center for deaf-blind children will vary for each applicant depending on the present services now in operation, the supportive services available, the buildings and facilities available, and the degree of cooperation among agencies to provide potential services for the Center. Accordingly, support under the Act is designed to reflect the different phases in which a potential Center finds itself at a given time for any of its activities. Support may be requested for a developmental project or an operational project, or for a combined developmental/operational project. These types of projects will be described below.

A. Developmental Projects

Developmental grants may be awarded to assist in the preparation of specific methods or programs to meet anticipated needs and projected goals. These grants may provide support for the development of an entire program or those segments of a program which may be lacking or inadequate. The following are some examples of developmental activities of a Center which may be supported.

1. Diagnostic and Therapeutic Clinical Services: The Center may survey existing resources in an area and work with various appropriate agencies to provide for the most efficient and economical utilization of those resources as well as for the development of additional needed services. In an area where there are very limited resources, the development of comprehensive and realistic clinical services as an integral part of a Center may be supported.
2. Educational Services: In this area, developmental activities could include determining appropriate long and short term educational objectives, selecting means to reach these objectives and deciding upon ways to implement them. Full use should be made of clinical staff, psycho-educational evaluators, educational consultants, university personnel and other appropriate experts in the development of educational programs. Procedures for developing services and the personnel to be involved should be described in the proposal.
3. Training Programs: When needs for a program to train professional and/or allied personnel to work with deaf-blind children and their families have been defined, the potentialities for provision of such training within and without the Center should be analyzed by appropriate experts and alternatives considered. Methods to develop the appropriate training programs should be described in the proposal.
4. Other Areas: Developmental grants may also be considered in the areas of social services, research, construction, and dissemination

of information. In each case the methods used to determine greatest needs, procedures selected to meet the needs, and appropriate personnel cooperating to develop programs or activities should be described.

B. Operational Projects

Operational grants are appropriate in instances where specific objectives and means to meet them have been determined through previous planning, but where funds for the proposed services have been lacking or inadequate. The following are some examples of operational activities:

1. initiating direct services to deaf-blind children, their families and persons working with them;
2. extending services to make them more comprehensive, to include greater number of children and to provide services to younger and/or older children;
3. providing additional teachers or aides so that more pupils could receive instruction;
4. obtaining highly qualified supervising teachers or educational specialists to strengthen the program;
5. initiating nursery or pre-school activities; and
6. constructing facilities may be supported as described in Chapter I, Part D of these Policies and Procedures.

Support may be awarded to a Center for any of the activities described in Chapter I, Part C and D of these Policies and Procedures.

CHAPTER III

SUGGESTIONS FOR PROPOSAL DEVELOPMENT

A. Submission of Proposals

Applicants wishing to submit project proposals should first indicate their interest to the Associate Commissioner of Education for the Handicapped, U.S. Office of Education, Washington, D.C. 20202. This initial contact with the Bureau should be in the form of a brief description of the proposed project, indicating the extent of need for the proposed program and its relation to already existing programs for deaf-blind children. All potential Grantees must accept and agree to comply with the Grant Terms and Conditions described in the Policies and Procedures to establish Centers for deaf-blind children.

Proposals should be on one side of standard 8-1/2" by 11" paper. Twenty copies of the proposal should be sent. The address label for proposals should read:

Coordinator, Centers and Services for
Deaf-Blind Children
Bureau of Education for the Handicapped
Division of Educational Services
U. S. Office of Education
7th & D Streets, S.W.
Washington, D.C. 20202

B. Form of Proposal Information

1. Developmental Projects: Proposals for developmental grants to provide comprehensive services for deaf-blind children under the

Act, shall include the following information:

a. A description of the population to be served, including the estimated numbers of children, their location, age, and description of total handicapping conditions.

b. A report of the geographic area to be served by the potential Center.

c. A listing of potential Participating Agencies in the Center service area, a letter indicating interest in becoming a Participating Agency in the potential Center, and a brief description of the function of each agency in relation to deaf-blind children.

d. A description of the kinds of services for deaf-blind children presently in the Center area of service.

e. Designation of the Director of the developmental project, or indication of the kind of person who might be available for this full time position.

f. Designation of the Coordinating Agency for the planning phase of the potential Center. The Coordinating Agency will receive and retain responsibility for the developmental grant.

g. A listing of Advisory Committee members to serve during the developmental period of the project.

h. A description of planning activities that are anticipated during the developmental period of the project.

i. A description of the projected program of the potential Center for deaf-blind children, including services to be developed, and the construction of facilities.

j. Budget information should include details of cost estimates of salary for the planning director, secretarial services, office equipment and materials, travel for the planning director, and conferences with consultants and participating agencies. Costs for staff recruiting and costs associated with a careful survey of the population to be served may be included.

2. Operational Projects: Applicants for operational grants for Centers should have completed sufficient planning and development so as to be prepared to provide comprehensive services for deaf-blind children under the Act. The following information shall be included:

a. A review of the planning that has been undertaken to prepare the potential Center for the operational phase. In the event the operational project follows a planning project funded under the Act, this review may be embodied in the final report of the planning project.

b. A description of the population to be served, including the carefully estimated number of children, their location, age, and description of total handicapping conditions.

c. A report of the geographic area to be served by the Center, with rationale for including that area under the services of the Center.

B. Form of Proposal Information (continued)

d. A listing of Participating Agencies in the Center service area with a letter of commitment describing their functions in relation to services for deaf-blind children.

e. Designation of members of the Advisory Committee to serve during the current project operational year.

f. Designation of the Coordinator of the Center, including a description of his experience and preparation for the position, and his anticipated duties.

g. Designation of the Coordinating Agency for operation of the Center. The Coordinating Agency will be legally responsible for the grant for the Center for deaf-blind children and shall be the locus of the office for Center Coordinator.

h. A description of new, improved, or expanded services which will be available through the Center's Participating Agencies as a result of funds to be received through the current operational grant. This should include the relation of the services and those participating agencies to the Center, as well as the anticipated objectives of these service agencies. The activities of this section should be reflected in the operational budget.

Services provided under this Act should be used to expand or improve the level of services already maintained by

Participating Agencies of the Center. Each applicant must provide assurance that the Federal funds made available under this Act for any fiscal year will be used to supplement current levels of Federal, State, local, and private funds expended for the education of deaf-blind children, rather than to supplant such sources of support.

i. A description of all services to be available through the Center for deaf-blind children, including both those resulting directly from funds to be received through the operational grant and those available through other sources. This description should include the relationship of the services to be provided by the Participating Agencies to the Center, and the anticipated results of such services in terms of individuals receiving services, materials produced, or other output. This section will constitute a description of the goals of the comprehensive Center.

j. A report of intended coordination of the activities of the Center with other pertinent organizations within the service area, and coordination with other federal and state funding programs.

k. A description of the qualifications of major personnel associated with the services of the Center for deaf-blind children. Each position should be listed with name, if possible, title, and amount of time to be spent giving services to deaf-blind children. The proposal should state the qualifications of each staff member as evidenced by certification

or specialized training involving deaf-blind or other handicapped children. Complete vitae are to be provided on major personnel.

l. Where applicable, a description of research to be undertaken through the operational project grant, including the intended subjects, the purposes of the project, the design and the equipment to be used.

m. Where applicable, a description of construction activities.

n. Budget information shall indicate total costs of the project and include details of cost estimates of salary for the Center Coordinator and other major staff to be supported by the project; supplies and materials for offices, classrooms, and clinics, professional travel and conferences; equipment; transportation costs for children, parents, and attendants, if necessary, with a brief description of transportation services and how they are to be obtained; stipends; contracted services; training costs for supportive and professional personnel; construction or remodeling; funding from other sources including Federal sources; research costs; and total direct and indirect costs. (For information on indirect costs see the Grant Terms and Conditions.)

3. Combined Developmental and Operational Projects: Some potential Centers with substantial ongoing services for deaf-blind children may wish to apply for a combined developmental and operational grant to make their services more comprehensive or to improve coordination. Such applications should include the pertinent information described above for these two kinds of projects. The potential Center, depending on the local circumstance and nature of

local problems, may request the services of a Planning Director on a full or part-time basis, to be under the Supervision of the Coordinator, or may stipulate that the fulltime Coordinator will also act as Planning Director, given adequate supportive staff.

The Project Director, Coordinator and/or other Grant personnel specified by name in the proposal are considered to be essential to the work being performed. If for any reason substitution of a specified individual becomes necessary, the Grantee shall provide timely written notification to the Grants Officer. Such written notification shall include the successor's name, with a resume of his qualifications.

C. Review and Approval Procedures

1. Review. All applications will be screened for completeness, content, and conformity to law, regulations, policies and procedures. Additional information, clarification or changes may be requested at this point. The Bureau may then refer proposals to consultants for review. After consideration of the recommendations of the consultants, site visits may be made. Final decisions on proposals will be made from the recommendations of the consultants, the Bureau staff, and the Associate Commissioner.

The Grants Officer then collaborates with the Program Management Officers to reach with the applicant agreement concerning project activities and Federal support and through negotiation, a legal and mutually satisfactory grant arrangement is made between the applicant and the U.S. Office of Education. The resulting grant instrument states the conditions under which the grant is made by the U.S. Office of Education. The Grantee is cautioned not to expend funds prior to the effective date of an approved project. The effective date of an approved project is the date specified in the grant instrument (Notification of Grant Award, notice of award by telegram or letter) executed by the Grants Officer on behalf of the Government.

2. Revisions. No substantive changes may be made in the purposes of the program of a project without prior written approval from the Grants Officer in the Office of Education. Program changes constitute the modification of program objectives or the alteration of activities designed to achieve the stated objectives. Requests for such changes, including an explanation and justification for each change, should be submitted in duplicate to the appropriate Program Management Officer, and at least thirty days prior to the beginning date of the proposed changes.

3. Budget Revision. Any significant proposed changes in planned expenditures should be submitted for review in advance of commitment

of funds by the grantee. Requests for such changes, including an explanation and justification for the change, should be submitted in duplicate to the appropriate Program Management Officer.

4. Funding Policy. The applicant will provide an estimate of financial requirements for the support of the entire project period. The amount of the grant will cover the negotiated cost of all activities projected for the budget period. A grant will normally be awarded for a twelve (12) month period but may be extended for an additional six (6) months with the written approval of the Grants officer.

5. Reports. All grants are subject to the submission of satisfactory fiscal and progress reports in accordance with the Reports Schedule set forth on Page 2 of the Special Provisions of the Grant Terms and Conditions.

6. Administration of Grant. All grants shall be administered in accordance with the Grant Terms and Conditions.

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 125—CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

The regulations in this part are applicable to the program of Centers and Services for Deaf-Blind Children authorized by Part C of the Education of the Handicapped Act (20 U.S.C. 877b). Activities undertaken pursuant to the Act are subject to the provisions thereof and to the regulations in this part.

Payments pursuant to the regulations in this part are subject to the regulation in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

Sec.
125.1 Definitions.
125.2 Scope and purpose.
125.3 Grants to or contracts with eligible parties.
125.4 Services to be provided by centers.
125.5 Location of services.
125.6 Grants or contracts for related activities.
125.7 Determination of deaf-blind children.
125.8 Further information.

AUTHORITY: The provisions of this Part 125 issued under Part C, Education of the Handicapped Act (20 U.S.C. 877b).

§ 125.1 Definitions.

As used in this part:

(a) "Construction" means (1) erection of new or expansion of existing structures, and the acquisition and installation of equipment therefor; or (2) acquisition of existing structures not owned by any agency or institution making application for assistance under this part; or (3) remodeling or alteration (including the acquisition, installation, modernization, or replacement of equipment) of existing structures; or (4) a combination of any two or more of the foregoing. In addition, "construction" means the construction of residential facilities; and the cost of construction shall be deemed to include the cost of acquisition of land in connection with any of the foregoing, but not the cost of off-site improvements. (20 U.S.C. 877b(f)).

(b) "Eligible party" means any public or nonprofit private agency, organization, or institution. (20 U.S.C. 877b(b)).

(c) "Secretary" means the Secretary of Health, Education, and Welfare. (20 U.S.C. 877b(i)).

§ 125.2 Scope and purpose.

The regulations in this part govern programs of financial assistance, pursuant to Part C of the Education of the Handicapped Act, the purpose of which is to provide, through a limited number of model centers for deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods and aids that are found to be most effective to enable them to achieve their full potential for communication with and adjustment to the world around them, for useful and meaning participation in society, and for self-fulfillment. These programs of financial assistance will be carried out through grants and contracts with eligible parties. (20 U.S.C. 877b (a), (b), (e)).

§ 125.3 Grants to or contracts with eligible parties.

The Secretary may make grants to or contracts with eligible parties to pay part or all of the cost of establishment (including, when necessary, construction) or operation, or both, of centers for deaf-blind children. In determining whether to make such a grant or contract the Secretary will take into consideration the need for a center for deaf-blind children in the light of the general availability and quality of existing services for such children in the part of the country involved. (20 U.S.C. 877b (b), (c)).

§ 125.4 Services to be provided by centers.

No grant or contract will be made pursuant to § 125.3 unless the Secretary determines that there is satisfactory assurance that the center will provide the following services:

(a) Comprehensive diagnostic and evaluative services for deaf-blind children;

(b) A program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor; and

(c) Effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist in the process of their adjustment, orientation, and education. (20 U.S.C. 877b(d)(1)).

§ 125.5 Location of services.

Services to be provided pursuant to grants or contracts made under § 125.3 may be provided to deaf-blind children (and, where applicable, other persons) regardless of whether they reside in the center, may be provided at some place other than the center, and may include the provision of transportation for any such children (including an attendant) and for parents. (20 U.S.C. 877b(d)(2)).

§ 125.6 Grants or contracts for related activities.

The Secretary may, either as a part of a grant or contract under § 125.3, or by separate grant to or contract with an eligible party operating a center meeting the requirements of § 125.4, provide for the payment of all or part of the cost of activities such as the following:

(a) Research to identify and meet the full range of needs of deaf-blind children;

(b) Development or demonstration of new, or improvements in existing, methods, approaches, or techniques which would contribute to the adjustment and education of deaf-blind children;

(c) Training (either directly or otherwise) of professional and allied personnel engaged or preparing to engage in programs specifically designed for deaf-blind children, including payment of stipends for trainees and allowances for travel and other expenses for them and their dependents; and

(d) Dissemination of materials and information about practices found effective in working with deaf-blind children. (20 U.S.C. 877b(e).)

§ 125.7 Determination of deaf-blind children.

As used in this part, the term "deaf-blind child" means a child who has auditory and visual handicaps the combination of which causes such severe communication and other developmental and educational problems that he cannot properly be accommodated in special education programs either for the hearing handicapped child or for the visually handicapped child. In recognition of the inherent and special difficulties attendant to the making of the determination of whether a child is deaf and blind within the meaning of the preceding sentence, that determination shall be made by the grantee or contractor on the basis of an extended period of evaluation, conducted in the center or elsewhere by a team consisting of specialists, at least in the fields of hearing, vision, and education of the handicapped, who shall make appropriate recommendations to the grantee or contractor as to whether a child is deaf and blind within the meaning of this definition. (20 U.S.C. 877b(h)).

§ 125.8 Further information.

Additional information concerning the program described in this part is provided in guidelines which may be obtained from the Project Centers Branch, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue SW., Washington, D.C. 20202.

Dated: September 23, 1968.

HAROLD HOWE II,
U.S. Commissioner of Education.

Approved: November 27, 1968.

WILBUR J. COHEN,
Secretary of Health, Education, and Welfare.

[F.R. Doc. 68-14520; Filed, Dec. 3, 1968; 8:51 a.m.]

May 19, 1969

GRANT TERMS AND CONDITIONS

CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

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GRANT TERMS AND CONDITIONS

CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

1. **Definitions**

As used in the grant documents relating to this award, the following terms shall have the meaning set forth below:

a. "Commissioner" means the U.S. Commissioner of Education.

b. "Grantee" means the institution, organization, or individual named in the grant as the recipient of the grant award.

c. "Grants Officer" means the employee of the U.S. Office of Education who has been delegated authority to execute or amend the grant document on behalf of the Government.

d. "Project Officer" means the employee of the U.S. Office of Education who is responsible for monitoring the project of the Grantee to assure compliance with the terms and conditions of the grant.

e. "Project" is the identified activity or program approved by the Commissioner for support.

f. "Project Period" means the total length of time for which a project is approved.

g. "Budget Period" means the period of time (within or coterminous with the project period) specified in the Notification of Grant Award, during which project costs may be charged against the grant. A budget period is generally twelve (12) months but may be for a different period of time, if appropriate.

h. "Budget" means the amount of funds approved by the Office of Education for designated services, materials, and other items.

2. **Scope of the Project**

The project to be carried out hereunder shall be consistent with the proposal as approved for support by the Commissioner and referred to in the Notification of Grant Award and shall be performed in accordance with this document.

3. Limitations on Costs

a. The total cost to the Government for the performance of the grant will not exceed the amount set forth in the Notification of Grant Award or any appropriate modification thereof. The Government shall not be obligated to reimburse the Grantee for costs incurred in excess of such amount unless and until the Grants Officer shall have notified the Grantee in writing that such amount has been increased and shall have specified in a revised Grant Award a revised amount which shall thereupon constitute the revised total cost of performance of the grant.

b. When and to the extent that the amount set forth in the Grant has been increased, any cost incurred by the Grantee prior to notification of such increase, in excess of the previous amount, shall be allowable to the same extent as if such cost had been incurred after notification of such increase in the amount.

4. Allowable Costs

a. Allowability of direct costs incurred under this grant shall be determined in accordance with the principles and procedures set forth in:

(1) Bureau of the Budget Circular A-21, dated March 3, 1965, with all revisions issued effective prior to the date of the award, if the grantee is an institution of higher education; or

(2) Exhibit X-2-66-1 of the Department of Health, Education, and Welfare Grants Administration Manual, if the grantee is a hospital; or

(3) Exhibit X-2-67-1 of the Department of Health, Education, and Welfare Grants Administration Manual, if the grantee is a State or local Government agency; or

(4) Exhibit X-2-68-1 of the Department of Health, Education, and Welfare Grants Administration Manual, if the grantee is a nonprofit institution, as defined therein.

b. Indirect costs for educational training programs will be based on a fixed rate of eight percent (8%) of the allowable direct costs, including stipends and dependency allowances.

4. Allowable Costs - (Continued)

c. Institutional allowances, applicable to any educational training program, which are not predetermined in the regulations or program guidelines, will be subject to audit and possible adjustment, in accordance with the applicable Subparagraph of Paragraph "a" above. In no event will the institutional allowance exceed the amount set forth in the guidelines of the related program.

5. Accounts and Records

a. Accounts

The Grantee shall maintain accounts, records and other evidence pertaining to all costs incurred, revenues or other applicable credits acquired under this grant. The system of accounting employed by the Grantee shall be in accordance with generally accepted accounting principles generally used by State or local agencies or institutions of higher education, and will be applied in a consistent manner so that the project expenditures can be clearly identified.

b. Cost Sharing Records

When the grant specifies cost sharing, the Grantee's records shall demonstrate that the Grantee's contributions to the project are not less, in proportion to the charges against the grant, than the percentage specified in the grant, or any subsequent revision thereof.

c. Examination of Records

All records directly relating to transactions under this grant may be subject to inspection and audit by the Department of Health, Education, and Welfare at all reasonable times during the period of retention provided for in Paragraph e below.

d. Disposition of Records

Except as provided in Paragraph e, below, all pertinent records and books of accounts related to this grant in the possession of the Grantee shall be preserved by the Grantee for a period of five (5) years after the close of the budget period in which final expenditures are made; or until audit by or on behalf of the Department, whichever is earlier.

5. Accounts and Records - (Continued)

e. Questioned Expenditures

Records relating to any litigation or claim arising out of the performance of this grant, or costs and expenses of this grant to which exception has been taken as a result of inspection or audit shall be retained by the Grantee until such litigations, claims or exceptions have been disposed of.

6. Termination

Grants may be terminated in whole or in part by the Government in the event the Grantee fails to carry out the terms of the grant in accordance with the stated objectives. Termination shall be effected by delivery to the Grantee, a written notification thereof, signed by the Grants Officer.

Financial obligations incurred by the Grantee prior to the effective date of the termination will be allowable to the extent they would have been allowable had the grant not been terminated. The Grantee agrees to furnish the Grants Officer within sixty (60) days of the effective date of termination an itemized accounting of funds expended, obligated, and remaining under the grant. The Grantee also agrees to remit within thirty (30) days of the receipt of a written request therefor any amounts found due.

7. Printing and Duplicating

Any printing and duplicating authorized under this grant, shall be subject to the limitations and/or restrictions specified in the "Printing and Binding Regulations", No. 20, dated March 1969.

8. Reports

The Grantee shall submit such fiscal and technical reports as may be required by the Office of Education, and in the quantity and at the time stated in the report schedule which is set forth in the Special Provisions.

9. Extension of Project Period or Budget Period

When progress under the grant is delayed and circumstances make it necessary to request an extension of either the project period or the budget period, or both, without additional funds, it is the

9. Extension of Project Period or Budget Period - (Continued)

policy of the Office of Education to permit such extensions upon written request. Where it appears that the activity to be accomplished within the project period or the budget period, or both, will be completed within three (3) months after the expiration date, it will not be necessary to request an extension. However, if it appears that the time required will exceed three (3) months, the Grants Officer should be informed and an extension should be requested.

10. Applicability of State and local or Institutional Procedures

Except to the extent otherwise provided for in this document or any document incorporated herein by reference, nothing herein or therein shall be construed so as to alter the applicability of any rule, regulation or procedure of the applicant which would otherwise pertain to the activity covered by this grant.

11. Equipment

(a) Definition

As used in this Article the term "equipment" means non-consumable personal property to be used in the performance of the grant, having an acquisition cost of $250 or more and a useful life expectancy greater than one (1) year.

(b) Title and Disposition

Title to equipment purchased with grant funds vests in the Grantee. Notwithstanding the foregoing, should the Commissioner, during the useful life of any equipment acquired with funds under the grant, determine that transfer of title to and possession of such equipment, or any other disposition, is necessary or desirable in order to accomplish the purposes of the program, the Grantee shall dispose of such equipment as the Grants Officer may direct.

(c) Use

Equipment purchased with grant funds shall be used only to accomplish the purposes of the grant unless another use is approved in writing by the Grants Officer. The Grantee shall maintain current inventory of all such equipment and shall safeguard and protect all such equipment in accordance with prudent property management practices.

12. Change of Key Personnel

The Project Director and/or other Grant personnel specified by name in the proposal are considered to be essential to the work being performed. If for any reason substitution of a specified individual becomes necessary, the Grantee shall provide timely written notification to the Grants Officer. Such written notification shall include the successor's name, with a resume of his qualifications.

13. Copyright and Publication

a. The term "materials" as used herein means writings, sound recordings, films, pictorial reproductions, drawings or other graphic representations, computer programs, and works of any similar nature produced under this grant. The term does not include financial reports, cost analyses, and similar information incidental to grant administration.

b. It is the policy of the Office of Education that the results of activities supported by it should be utilized in the manner which would best serve the public interest. To that end, except as provided in Paragraph c, the Grantee shall not assert any rights at common law or in equity or establish any claim to statutory copyright in such materials; and all such materials shall be made freely available to the Government, the education community, and the general public.

c. Notwithstanding the provisions of Paragraph b above, upon request of the Grantee or his authorized designee, arrangements for copyright of the materials for a limited period of time may be authorized by the Commissioner, through the Grants Officer, upon a showing satisfactory to the Office of Education that such protection will result in more effective development or dissemination of the materials and would be in the public interest.

d. With respect to any materials for which the securing of copyright protection is authorized under Paragraph c, the Grantee hereby grants a royalty-free, nonexclusive and irrevocable license to the Government to publish, translate, reproduce, deliver, perform, use, and dispose of all such materials.

e. To the extent the Grantee has the right and permission to do so, the Grantee hereby grants to the Government a royalty-free, nonexclusive and irrevocable license to use in any manner copyrighted material not first produced in the performance of this grant but which is incorporated in the materials. The Grantee shall advise the Grants Officer of any such copyrighted material known to it not to be covered by such license.

14. Acknowledgement and Disclaimer in Publication

Any publication or presentation resulting from or primarily related to the project being performed hereunder shall contain the following acknowledgement:

> "The project presented or reported herein was performed pursuant to a Grant from the U.S. Office of Education, Department of Health, Education, and Welfare. However, the opinions expressed herein do not necessarily reflect the position or policy of the U.S. Office of Education, and no official endorsement by the U.S. Office of Education should be inferred."

15. Patent Rights

a. Policy

In accordance with Department of Health, Education, and Welfare Regulations (45 CFR Subtitle A, Parts 6 and 8), all inventions made in the course of or under any Office of Education grant shall be promptly and fully reported to the Assistant Secretary (Health and Scientific Affairs), Department of Health, Education, and Welfare.

The Grantee institution and the principal investigator shall neither have nor make any commitments or obligations which conflict with the requirements of this policy.

b. Determination

Determination as to ownership and disposition of invention rights, including whether a patent application shall be filed, and if so, the manner of obtaining, administering, and disposing of rights under any patent application or patent which may issue, shall be made either:

(1) By the Assistant Secretary (Health and Scientific Affairs) whose decision shall be considered as final, or

(2) Where the institution has a separate formal institutional agreement with the Office of Education or the Department, by the grantee institution in accordance with such agreement.

Patent applications shall not be filed on inventions under (1) above without prior written consent of the Assistant Secretary (Health and Scientific Affairs) or his representative. Any patent application filed by the grantee on an invention made in the course of, or under an Office of Education grant shall include the following statement in the first paragraph of the specification:

15. Patent Rights - (Continued)

"The invention described herein was made in the course of, or under, a grant from the U.S. Office of Education, Department of Health, Education, and Welfare."

c. Reports and Other Requirements

A complete written disclosure of each invention in the form specified by the Assistant Secretary (Health and Scientific Affairs) shall be made by the grantee promptly after conception or first actual reduction to practice, whichever occurs first under the grant. Upon request, the grantee shall furnish such duly executed instruments (prepared by the Government) and such other papers as are deemed necessary to vest in the Government the rights reserved to it under this policy statement to enable the Government to apply for and prosecute any patent application, in any country, covering each invention where the Government has the right to file such application.

The grantee shall furnish interim reports (Annual Invention Statements) prior to the continuation of any grant listing all inventions made during the budget period whether or not previously reported, or certifying that no inventions were made during the applicable period, the grantee shall furnish a final invention report listing all inventions made during performance of work on the supported project, or certifying that no inventions were made during that work.

d. Supplementary Patent Agreements

The grantee shall obtain appropriate patent agreements to fulfill the requirements of this provision from all persons who perform any part of the work under the grant, except such clerical and manual labor personnel as will have no access to technical data, and except as otherwise authorized in writing by the Department.

The grantee shall insert, in each subcontract or agreement having experimental, developmental, or research work as one of its purposes, a clause making this provision applicable to the subcontractor and its employees.

e. Definitions

As used in this provision, the stated terms are defined as follows for the purpose hereof:

(1) "Invention" or "invention or discovery" includes any art, machine, manufacture, design or composition of matter, or any new and useful improvement thereof, or any variety of plant, which is or may be patentable under the Patent Laws of the United States.

15. Patent Rights - (Continued)

(2) "Made" when used in relation to any invention or discovery means the conception or first actual reduction to practice of such invention in the course of the grant.

f. Inventions Resulting from Grants Made in Support of Research by Federal Employees

Inventions resulting from grants made in support of research by Federal employees shall be reported simultaneously to the Assistant Secretary (Health and Scientific Affairs) pursuant to the terms of the grant and to the employing agency under the terms of Executive Order 10096 as amended.

16. Travel

Travel allowances shall be paid in accordance with applicable State and local laws and regulations and institutional practices. If there are no applicable local laws and regulations, travel shall be done in accordance with Federal Government regulations, as contained in standardized Federal Government travel regulations. No foreign travel is authorized under the grant unless prior approval is received from the Grants Officer. Travel between the United States and Guam, American Samoa, Puerto Rico, the U. S. Virgin Islands, the Canal Zone, and Canada is not considered international travel.

17. Clearance of Forms

To permit proper monitoring and clearance, the Grantee is to submit to the appropriate Project Officer, prior to use, five (5) copies of all tests, questionnaires, interview schedules or guides, and rating scales which are to be employed in collecting data from ten (10) or more individuals or organizations. A brief report of related information (such as purposes of the study, relevance of the data-gathering instruments to these purposes, nature of the sample, number of respondents, burden on respondents, etc.) must accompany the copies of the instruments, in accordance with directions from the Office of Education.

EXCEPTIONS: (A) Copies need not be submitted of conventional instruments which deal solely with (1) cognitive functions or technical proficiency (e.g., scholastic aptitude, school achievement, etc.), or (2) routine demographic information, (3) routine institutional information; but a report of the "related information" (as specified above) concerning the particular data-gathering instrument must be supplied to the Project Officer in order to permit appropriate monitoring and clearance.

17. **Clearance of Forms**

(B) Ordinary classroom tests employed in the development of a new curriculum or as part of the regular instructional routine constituting part of the project for which funds are granted, need be neither reported nor submitted; but final tests employed in such a project, serving purposes of evaluation, must be reported; and, if significantly unusual in such essential features and content, directions, form of response, etc., must be submitted in five (5) copies.

OEG No. _____

Rev. No. _____
(If applicable)

18. **SPECIAL PROVISIONS**

1. **Payment**

a. For the performance of this Grant Period the Government shall pay to the Grantee the amount specified in Item 4 of Notification of Award. Payemnt shall be made according to the following schedule, in the approximate amounts indicated.

Period of Payment	$ Amount to be Paid
First Payment based on issuance of Grant Award	_____ (Negotiated Amt.)
Subsequent Payments on a Quarterly basis, upon submission of form OE-5141	
_____ (Insert date)	
_____ (Insert date)	_____
	_____
Final Payment will be made upon receipt and acceptance of the final technical and fiscal reports	_____
Total	_____

Inquiries regarding payments shall be addressed to the Director, Finance Division, U.S. Office of Education, 400 Maryland Avenue, SW., Washington, D. C. 20202.

b. Any funds remaining unobligated at the expiration of the Budget Period, shall within ninety (90) days of the date of expiration of said period be refunded by check made payable to the U.S. Office of Education. All refunds must reference the Grant Number shown on the Notification of Grant Award.

2. Reports Schedule

Pursuant to the "Reports" clause of the Terms and Conditions, the Grantee will furnish the following reports.

a. Progress Reports

Progress reports shall be made every six (6) months. These narrative reports shall give an accurate account of the major program activities carried out during the preceding six (6) months, the problems encountered and any major achievements or findings, with a description of future planned activities. A list of the staff employed and a list of capital equipment acquisitions shall be included. The progress reports shall be dated and signed, and five (5) copies shall be sent.

b. Financial Reports

Financial reports itemizing expenditures shall be submitted at the end of the budget period. If adjustments of expenditures against budgets of prior years are necessary, they shall be included in this report. Adjustments of audit exceptions and differences between reported obligations and final expenditures must be reported separately. Ten (10) copies of this report shall be submitted.

c. Final Reports

Final reports shall be submitted at the end of the budget period. They shall cover the same topics as the progress report, but summarize the activities of the budget period. These reports shall indicate how the plans described in the proposal have been carried out. Ten (10) copies of this report shall be submitted.

From time to time other reports which are needed for the proper functioning of the program may be required by the Bureau of Education for the Handicapped.

All reports shall be sent to:

Project Centers Branch
Bureau of Education for the Handicapped
7th and D Streets, SW
ROB-3, Room 2036
Washington, D. C. 20202

GSA DC 69-15599